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**VIA FEDEX**

Honorable Harold Baer, Jr.  
 United States District Judge  
 United States District Court for the Southern District of New York  
 500 Pearl St., Room 2230  
 New York, NY 10007

Re: *Fei v. West LB AG*, 07 Civ. 8785 (HB)(FM)

Dear Judge Baer:

We represent Plaintiff Philip Fei and the putative class in the above-referenced matter. We write jointly with Defendant to respectfully request that Your Honor adjourn the June 15, 2008 deadline for the close of non-expert discovery related to Plaintiff's Motion for Class Certification and the July 1, 2008 deadline for Plaintiff to file his Motion for Class Certification. (See enclosed Pretrial Scheduling Order.)

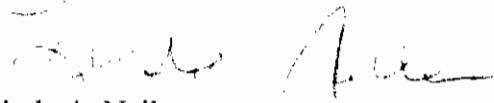
For the past few weeks, the parties have been engaged in extensive settlement discussions. We currently are in the process of scheduling a private mediation with JAMS for the beginning of July 2008. In order to focus our attention on resolving the parties' disputes, we respectfully request that Your Honor adjourn the above deadlines until after the parties attend mediation. If the parties do not reach a settlement, we will submit a proposed revised scheduling order that will still have the case ready for trial as scheduled in August 2009 as this case is on the August 2009 Trailing Trial calendar.

Plaintiff also requests that the Court defer ruling on the following three fully briefed motions pending the mediation: (1) Defendant's Motion to Dismiss the Complaint or Alternatively to Preclude the Use of Misappropriated Information and Preclude Philip Fei from

Being the Collective Class Action Representative; (2) Plaintiff's Motion to Dismiss Counterclaims; and (3) Plaintiff's Motion for Conditional Certification and Court-Authorized Notice Pursuant to 216(b) of the FLSA. Defendant does not oppose this request.

Thank you in advance for considering our request.

Respectfully submitted,




Linda A. Neilan

Enclosure

cc: Vilia B. Hayes, Esq. (via U.S. mail and email)  
Ned H. Bassen, Esq. (via U.S. mail and email)  
Jason Habinsky, Esq. (via U.S. mail and email)  
Jack A. Raisner, Esq.

*Denied - I'll push  
your motion in the regular  
your job as to meet the 6/15 deadline  
rejection now, please, I'll do that*

SO ORDERED:  
  
Harold Baer, Jr., U.S.D.J.  
Date: 6/12/08

Denied -- I'll reach your motions in the regular order and your job is to meet the 6/15 deadline. Mediation never stays PTSO dates.